

1 I, JUDY YANG, being first sworn, depose and say the following, subject to penalty of
2 perjury:

3 1. I am an investigator, employed by Filley & Associates, a private investigation
4 company. All of the matters stated herein are based on my personal knowledge. If sworn as
5 witness I could and would testify competently to the matters stated herein.
6

7 2. At the request of Plaintiff U2 HOME ENTERTAINMENT, INC., I was assigned
8 to conduct a survey of the following video outlets in the New York Metropolitan Area, New
9 York for suspected copyright infringement.
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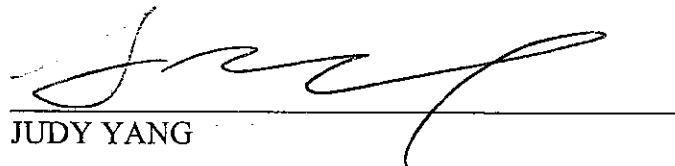
11 "BROADWAY AUDIO"

12 1. On or about July 14, 2007 at approximately 11:00 AM, I visited the store premises of
13 Defendant BROADWAY AUDIO located at 39 E. Broadway, New York, NY 10002. The store
14 is surrounded by other small businesses. The business appears to be a shoe store or comforter
15 shop. I observed two female attendants in their 30's in charge of the business. They spoke a
16 mixture of Fuchow, Mandarin, and English. I observed a small box next to the shoe display
17 filled with bootlegged discs. I observed bootlegged discs covered with garbage bags and stored
18 in shoe boxes behind the counter. One of the female attendants produced bootlegged discs from
19 a shoe box located behind the counter in response to an inquiry from a customer. I was able to
20 observe more bootlegged discs stored behind the counter. I estimated that the premises occupy
21 an area of approximately fifty (50) square feet.
22
23

24 2. I observed approximately eight hundred (800) Chinese language video discs for sale in
25 which I estimated approximately sixty (60) to be Plaintiff's titles. I selected and purchased one
26 motion picture title to which Plaintiff owns the copyright as follows: THE YOUNG
27 WARRIORS (Episodes 1-43). I paid a sum of \$14.00 in cash. No receipt or business card was
28 issued.
29

3. All of the purchased video discs from the Defendant were forward to Plaintiff's Associate
Counsel LYNDA HUNG, ESQ.

Executed this 8 day of August, 2007 in San Francisco, California.


JUDY YANG

SUBSCRIBED AND SWORD TO BEFORE ME on the 8 day of August, 2007.


Notary Public in and for The State of CALIFORNIA

